

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RONALD A. ROGANTI,

Plaintiff,

— against —

METROPOLITAN LIFE INSURANCE
COMPANY, METROPOLITAN LIFE
RETIREMENT PLAN FOR UNITED STATES
EMPLOYEES, SAVINGS AND
INVESTMENT PLAN FOR EMPLOYEES
OF METROPOLITAN LIFE AND
PARTICIPATING AFFILIATES, THE
METLIFE AUXILIARY PENSION PLAN,
AND THE METROPOLITAN LIFE
SUPPLEMENTAL AUXILIARY SAVINGS
AND INVESTMENT PLAN,

Defendants.
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Civil Action No.: 12-cv-0161(PAE)

**STIPULATION OF
PARTIAL DISMISSAL
WITHOUT PREJUDICE OF
COUNT TWO OF
PLAINTIFF'S COMPLAINT**

DOCUMENT
ELECTRONICALLY FILED

WHEREAS, Plaintiff commenced the above-referenced action by filing a Summons and Complaint on January 9, 2012.

WHEREAS, on March 19, 2012, Defendants, Metropolitan Life Insurance Company, Metropolitan Life Retirement Plan for United States Employees, Savings and Investment Plan for Employees of Metropolitan Life and Participating Affiliates, the MetLife Auxiliary Pension Plan, and the Metropolitan Life Supplemental Auxiliary Savings and Investment Plan (collectively referred to as "Defendants") moved to dismiss Plaintiff's Complaint in its entirety.


WHEREAS, Plaintiff, after due deliberation, has decided to withdraw and voluntarily dismiss Count Two of his Complaint alleging violations of the Dodd-Frank Act of 2010, 15 U.S.C. §78u-6 ("Dodd-Frank"), without prejudice.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for all appearing parties to the above-entitled action, that pursuant to Rule 41(a)(1)(A)(ii), FED. R. CIV. P., Plaintiff hereby dismisses without prejudice Count Two of Plaintiff's Complaint, and without attorney's fees or costs to any party as against another.


IT IS ALSO HEREBY STIPULATED AND AGREED, that this Stipulation of Partial Dismissal does not affect Defendants' pending motion to dismiss Plaintiff's complaint in its entirety, except to acknowledge that the portion of Defendants' motion to dismiss Count Two of the Plaintiff's Complaint is now moot.

IT IS ALSO HEREBY STIPULATED AND AGREED, that this Stipulation of Dismissal may be executed in counterparts and all signatures faxed or sent electronically shall have the same force as though executed in the original.

Dated: New York, New York
April 24, 2012



David G. Gabor
THE WAGNER LAW GROUP
99 Summer Street, 13th Floor
Boston MA 02110
Attorneys for Plaintiff



Michael H. Bernstein (MB 0579)
Charles H. Kaplan (CK 5801)
John T. Seybert (JS 5014)
Daniel M. Meier (DM 2833)
SEDGWICK LLP
125 Broad Street, 39th Floor
New York, New York 10004-2400
Attorneys for Defendants

4/30/2012

SO ORDERED



HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE